



XM - 0025

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: :
S. Patsiokas : Group Art Unit 2685
Serial No. 09/461,699 : Examiner: Marceau Milord
Filed: 12/14/1999 : Date: October 15, 2002
For: System And Method For Distributing :
Music and Data :

#7/B(NE)
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AMENDMENT AFTER FINAL REJECTION

Commissioner of Patents
and Trademarks
Washington, D. C. 20231

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Sir:

In response to the Office Action September 11, 2002, please consider the following Remarks:

REMARKS

Claims 1 - 17 are presently pending. In the above-identified Office Action, the Examiner rejected the Claims under 35 U.S.C. § 103(a) as being unpatentable over Anderson (U. S. Patent 5,857,156) in view of Bravman *et al.* (U. S. Patent No. 5,393,965). Though not stated as a basis of rejection initially, Matsuura (U. S. Patent 6,075,568) was also relied on in the above noted rejection of the Claims under 35 U.S.C. § 103(a).

For the reasons set forth more fully below, reconsideration, allowance and passage to issue are respectfully requested.

As stated previously, the invention of the subject Application addresses the need in the art for an inexpensive system and method for distributing music, information and

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PTO/SB/21 (6-98)
Approved for use through 09/30/2000. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/461,699	
	Filing Date	12/14/99	
	First Named Inventor	S. Patsiokas	
	Group Art Unit	2685	
	Examiner Name	Marceau Milord	
Total Number of Pages in This Submission	6	Attorney Docket Number	XM 0025

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ENCLOSURES (check all that apply)		
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<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input checked="" type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below)
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<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Small Entity Statement	
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<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Benman, Brown & Williams
Signature	<i>William J. Benman</i>
Date	10/16/02

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: 10/16/02	
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Date	10/16/02

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